



# Energy Act 2013

## 2013 CHAPTER 32

### PART 3

#### NUCLEAR REGULATION

### CHAPTER 4

#### FUNCTIONS OF THE ONR

#### *Exercise of functions: general*

#### **92 Directions from Secretary of State**

- (1) The Secretary of State may give the ONR a direction as to the exercise by it of—
  - (a) its functions generally, or
  - (b) any of its functions specifically.
- (2) A direction given by the Secretary of State under subsection (1)—
  - (a) may modify a function of the ONR, but
  - (b) must not confer functions on the ONR (other than a function of which it was deprived by a previous direction given under this section).
- (3) The Secretary of State may give the ONR such directions as appear to the Secretary of State to be necessary or desirable in the interests of national security.
- (4) A direction given by the Secretary of State under subsection (3) may—
  - (a) modify a function of the ONR,
  - (b) confer a function on the ONR.
- (5) A direction under subsection (1) or (3) must not be given in relation to the exercise of a regulatory function in a particular case.

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*Status: This is the original version (as it was originally enacted).*

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- (6) If the Secretary of State is satisfied that there are exceptional circumstances relating to national security which justify giving a direction under this subsection, the Secretary of State may give the ONR a direction as to the exercise by the ONR of a regulatory function in a particular case.
- (7) A direction given under subsection (6) must be for the nuclear security purposes.
- (8) The Secretary of State must lay before Parliament a copy of any direction given under this section.
- (9) Subsection (8) does not apply to a direction under subsection (6) if the Secretary of State considers that publishing the direction would be contrary to the interests of national security; but, in that event, the Secretary of State must lay before Parliament a memorandum stating that such a direction has been given and the date on which it was given.